AUG 0 1 2005

650 Town Center Orive, Suite 620 Costa Mesa, CA 92626-1925 Phone: (714) 708-8555 Fax: (714) 708-8565

Birch, Stewart, Kolasch & Birch, LLP



| To:   | Examiner Frederick K   | (rass  | From:  | Leonard R. Svensson  |   |  |  |  |  |
|---|--|--|--|--|---|--|--|--|--|
| Fax:  | (571) 273-8300   |  | Pages:   | 10 including cover sheet   |   |  |  |  |  |
| Phone:  |  |  | Date:  | August 1, 2005   |   |  |  |  |  |
| Your Ref.:  | Application No. 10/77  | 1,259  | Our Ref.:  | 1718-0214P   |   |  |  |  |  |
| Re:   | Letter Requesting Init                                       | ialed PTO 1449   | CC:  |  |   |  |  |  |  |
| ,   | Form   |  |  | · · ·  |   |  |  |  |  |
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| is privileged,<br>distribution or<br>prohibited. If t | confidential and exempt fr<br>r duplication of this transmis | orn disclosure under<br>ssion by someone oth<br>sion is in error, please | applicable law<br>er than the into<br>notify this firm | <ul> <li>You are hereby not<br/>ended addressee or it</li> </ul> | I may contain information that<br>lifted that any dissemination,<br>is designated agent is strictly<br>at call to (714) 708-8555, and |  |  |  |  |
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# AUG 0 1 2005

**PATENT** 1718-0214P

August 1, 2005

#### IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Johan Harmenberg et al.

Group:

1614

Application No.: 10/771,259

Examiner: KRASS, Frederick F

Filed:

February 2, 2004

Conf.:

2442

For:

PHARMACEUTICAL COMBINATION

# **LETTER REQUESTING INITIALED PTO 1449 FORM(S)**

**Commissioner for Patents** 

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In reviewing the above-captioned application, I the undersigned has noted that acknowledgement was not received for the PTO Form(s) 1449 filed with the Information Disclosure Statement(s) on August 19, 2004.

Applicants note that the Information Disclosure Statement filed via facsimile on August 19, 2004 has not been entered into the Patent Application Information Retrieval (PAIR) System. A copy of the confirmation facsimile transmission sheets indicating that the U.S. Patent Office has received the IDS is enclosed. In addition, Applicants enclose a copy of the IDS previously filed.

The Examiner is respectfully requested to return the initialed form(s) to the undersigned as soon as possible.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

hereby Certify that this correspondence is being acsimile transmitted to the Patent and

Trademerk Office:

Signabure B. LANKO

ped or printed name of person signing certificate

LRS/SWG/sbp

**ATTACHMENTS** 

Respectfully submitted.

BIRCH, STEWART, KOLASCH & BIRCH, LLP

# 47,604

Leonard

Bv

P.O. Box 747

Falls Church, VA 22040-0747

Svensson

(714) 708-8555

# RECEIVED CENTRAL FAX CENTER

AUG 0 1 2005

PATENT 1718-0214P

### IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

HARMENBERG, Johan G. et al.

Conf.:

2442

Appl. No.:

10/771,259

1

Group:

1614

Filed:

February 2, 2004

Examiner: KRASS, F.

For:

PHARMACEUTICAL COMBINATION

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

August 19, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

# I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

# II. COPIES (check at least one box)

- a. This application was filed before June 30, 2003.

  Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. A This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

Appl. No. 10/771,259

Some or all of the documents listed on the PTO1449 are not enclosed because they were cited in
the International Search Report and copies should
already be in the PTO file. If copies are needed,
please contact the undersigned.

# III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

### a. DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

### b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

## C. | ENGLISH LANGUAGE SEARCH REPORT

An English language version of the search report or action that indicates the degree of relevance found by the foreign of ice is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

#### d. D OTHER

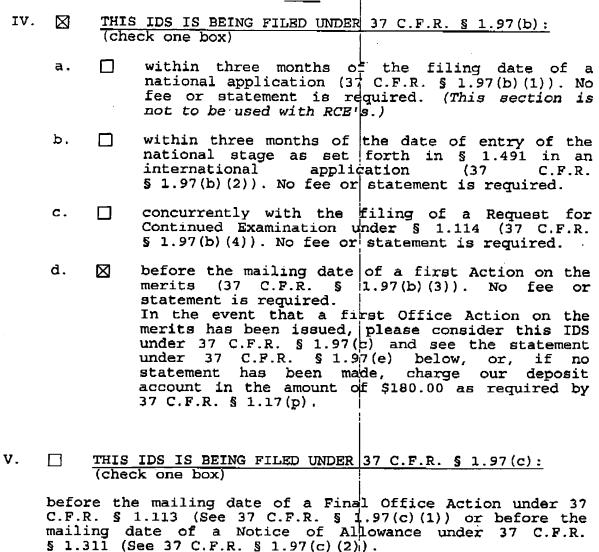
The following additional information is provided for the Examiner's consideration.

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b.

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#### **FEES**

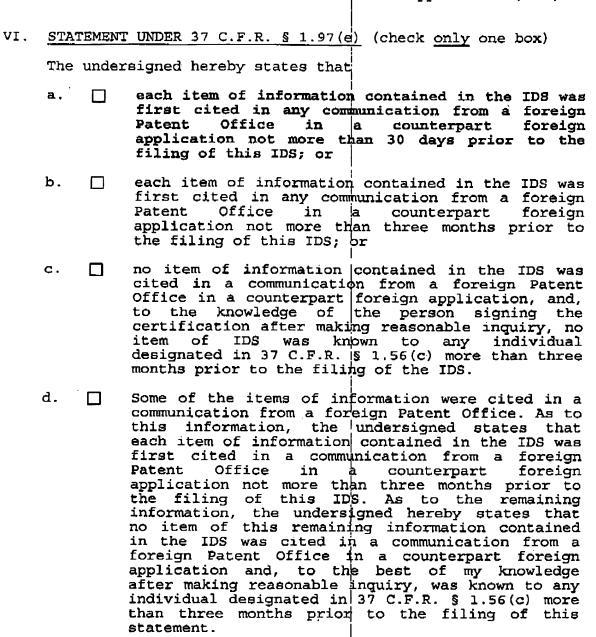


No statement; therefore, a fee in the amount of

\$180.00 as required by 37 C.F.R. § 1.17(p).

See the statement below. No fee is required.

Appl. No. 10/771,259



Appl. No. 10/771,259

|  |   | Appr.                                     | NO. 10/7/1,259                              |
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| ed or printed name of person aligning certificate  | Leonard 1                                 | R. Svensson,                              | #30,330                                     |
| LRS/SWG/sbp  | P.O. Box 74<br>Falls Churc<br>(703) 205-8 | h, VA 22040-                              | 0747  |
| Attachment(s):   PTO-1449  |   |   |   |
| <pre>Documents</pre>   |   |   |   |

(Rev. 05/14/2004)

Foreign Search Report

Fee Other:

Sheet 1 of 1 (8/19/04)

| Form PTO-1449              |                               |   |                                |   | 171                   | DOCKET NO. APPLICATION NO. 10/771,259               |  |                |                            |  |
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COMMUNICATION RESULT REPORT (AUG. 19. 2004 2:57PM) \* \* \*

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650 Town Center Drive, Suite 620 Costa Mesa, CA 92825-1925 Phone: (714) 708-8555 (714) 708-8565

Birch, Stewart, Kolasch & Birch, LLP



| Examiner Frederick Kr  | ass/AU 1614  | From:  | Le   | onard R. Svense  | 30h  |
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PAGE 9/17 \* RCVD AT 8/1/2005 7:55:23 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/25 \* DNIS:2738300 \* CSID: \* DURATION (mm-ss):20-24 to 1 pm | 1 pm

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